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6 IN THE UNITED STATES DISTRICT COURT
7
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 JOHN SHEK,

No. C 11-00212 WHA

11 Plaintiff,

12 v.

**ORDER GRANTING PLAINTIFF
NEW OPPORTUNITY TO OPPOSE
DEFENDANTS' MOTIONS TO
DISMISS**

13 UNITED STATES GOVERNMENT
14 NATIONAL LABOR RELATIONS,
15 REGION 32, and CALIFORNIA NURSES
ASSOCIATION C.H.E.U.,

16 Defendants.
17 _____/

18 Defendants California Nurses Association, C.H.E.U., and National Labor Relations Board,
19 Region 32, are moving to dismiss plaintiff's complaint (Dkt. Nos. 19 and 23). Meanwhile,
20 plaintiff is moving to stay proceedings and for leave to file an amended complaint. Plaintiff
21 failed to oppose defendants' motions, and an order to show cause issued that called for plaintiff to
22 respond by April 22 and show cause for his failure to respond to the motions.

23 Plaintiff responded in a submission entered on April 11, which states: "Plaintiff is
24 Unemployed[], burden by financial situation [sic]. Plaintiff was looking for jobs, family issues []
25 did not file the Opposition to Defendants[]' motion to dismiss [sic]. . . . Plaintiff request that the
26 Court enlarge time within which it may file Reply to Defendants[]' response to Re Dkt 30 motion
27 to amend/opposition to Defendants' motion to dismiss [sic]" (Dkt. No. 45).

28 Parties' financial situations and family issues do not justify missing deadlines.
Nevertheless, plaintiff will be given until **MAY 5, 2011**, to file his opposition. To be clear, this

1 should not be a reply in support of *plaintiff's* motions. This should be an opposition to
2 *defendants'* motions. Specifically, plaintiff should counter defendants' arguments that this Court
3 does not have subject-matter jurisdiction over this case and that plaintiff's complaint does not
4 state a claim on which relief can be granted, discussing legal authority in support.

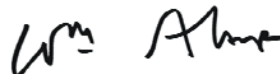
5 If plaintiff does not file his opposition by May 5, this case will be dismissed for failure to
6 prosecute. If plaintiff files a timely opposition, defendants may reply by May 12.

7 * * *

8 Plaintiff should be aware that there is free legal assistance available to litigants without
9 lawyers in federal court. This service — called the Legal Help Center — is available to anyone
10 who is representing him- or herself in a civil lawsuit (or is considering filing a civil lawsuit) in the
11 San Francisco or Oakland divisions of the United States District Court for the Northern District of
12 California. The Legal Help Center is located in the federal courthouse in San Francisco: 450
13 Golden Gate Avenue, 15th Floor, Room 2796. Assistance is provided by appointment only, and
14 appointments are held in person at the Legal Help Center. A litigant may schedule an
15 appointment by signing up in the appointment book located on the table outside the door of the
16 Center or by calling the Legal Help Center appointment line at 415-782-9000 x8657. Plaintiff is
17 encouraged to seek assistance from the Legal Help Center in opposing the motions to dismiss.

18 **IT IS SO ORDERED.**

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20 Dated: April 18, 2011.

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22 WILLIAM ALSUP
23 UNITED STATES DISTRICT JUDGE
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